B 1 (Official Form 1) (10) 180 e 09-25532-lbr Doc 1 Entered 08/24/09 12:34:18 Page 1 of 61 **United States Bankruptcy Court Voluntary Petition** District of Nevada Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Higuera, Charles, D. All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Patio Designs by Charles C H Homeowners Acceptance Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN(if more more than one, state all): 0474, 41-2108607 than one, state all): 0798491 Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 3388 Townhouse Dr. Las Vegas, NV ZIP CODE 89121 ZIP CODE County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business Clark Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): ZIP CODE Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Form of Organization) the Petition is Filed (Check one box) (Check one box) (Check one box.) ■ Health Care Business ☐ Chapter 15 Petition for V Chapter 7 Single Asset Real Estate as defined in 11 Recognition of a Foreign Individual (includes Joint Debtors) Chapter 9 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Main Proceeding Railroad Chapter 11 Corporation (includes LLC and LLP)  $\Box$ ☐ Chapter 15 Petition for Stockbroker Partnership Chapter 12  $\Box$ Recognition of a Foreign ☐ Commodity Broker Other (If debtor is not one of the above entities, Nonmain Proceeding Chapter 13 ☐ Clearing Bank check this box and state type of entity below.) **Nature of Debts** Other (Check one box) Tax-Exempt Entity Debts are primarily consumer Debts are primarily (Check box, if applicable) debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an ■ Debtor is a tax-exempt organization individual primarily for a under Title 26 of the United States personal, family, or house-Code (the Internal Revenue Code.) hold purpose. Chapter 11 Debtors Filing Fee (Check one box) Check one box: ✓ Full Filing Fee attached ■ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b) See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes A plan is being filed with this petition Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR Statistical/Administrative Information COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 100-200-1,000-5,001-10,001-25,001-50,001-50-Over 49 99 999 5.000 10,000 25,000 50.000 100,000 100,000 Estimated Assets V \$0 to \$50,001 to \$50,000,001 \$100,000,001 \$100,001 to \$500,001 to \$1,000,001 \$10,000,001 \$500,000,001 More than \$1 \$50,000 \$100,000 to \$100 to \$500 \$500,000 to \$1 billion billion \$1 to \$10 to \$50 million million million million million Estimated Liabilities  $\Box$  $\Box$  $\Box$  $\mathbf{\Lambda}$ \$10,000,001 \$50,000,001 \$100,000,001 \$500,001 to \$1,000,001 \$50,001 to \$0 to \$100,001 to \$500,000,001 More than \$1 to \$10 to \$100 to \$500 to \$50 \$50,000 \$100,000 \$1 \$500,000 billion to \$1 billion million million million million million

B 1 (Official Form 1) (1988) e 09-25532-lbr Doc 1 Entered 08/24/09 12:34:18 Page 2 of 61 FORM B1, Page 2 Voluntary Petition Name of Debtor(s): (This page must be completed and filed in every case) Charles D. Higuera All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.) Case Number: Date Filed: Location Where Filed: **NONE** Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) Date Filed: Name of Debtor: Case Number: NONE Relationship: District: Judge: Exhibit A Exhibit B (To be completed if debtor is an individual (To be completed if debtor is required to file periodic reports (e.g., forms 10K and whose debts are primarily consumer debts) 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition. X Not Applicable Signature of Attorney for Debtor(s) Date Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition.  $\mathbf{\Lambda}$ No Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately  $\mathbf{\Lambda}$ preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate. general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District. or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following). (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or

both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Title of Authorized Individual

Date

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

# NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order

ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <a href="mailto:before">before</a> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

B 201 Page 2

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### Certificate of the Debtor

i, the debtor, attirm that i have received and r	ead this notice.	
Charles D. Higuera	Xs/ Charles D. Higuera	8/18/2009
Printed Name of Debtor	Charles D. Higuera	
	Signature of Debtor	Date
Case No. (if known)		

B 1D (Official Form 1, Exhibit D) (12/08)

# UNITED STATES BANKRUPTCY COURT District of Nevada

In re	Charles D. Higuera	Case No.	
	Debtor		(if known)

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed. ☐ 1. Within the 180 days **before the filing of my bankruptcy case**. I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. ☐ 2. Within the **180 days before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

	4. I am	not required	to receive a	credit cou	nseling brie	efing becaus	se of: [Chec	k the app	licable
statement.] [	Must be	accompanied	d by a motior	n for deter	mination by	y the court.]			
		Incapacity.	(Defined in 1	1 U.S.C.	§ 109(h)(4)	) as impaire	d by reason	of menta	l illnes

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

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- 12 (c.m.c.a. 1 c.m. 1, -1.m. 2) (1-200)
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. ' 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: s/ Charles D. Higuera Charles D. Higuera
Date: 8/18/2009

B6 Summary (Official Form 6 - Summary) (12/07)

# United States Bankruptcy Court District of Nevada

In re Charles D. Higuera	Case No.
Debtor	
	Chapter <b>7</b>

#### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 0.00		
B - Personal Property	YES	3	\$ 33,455.00		
C - Property Claimed as Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	1		\$ 0.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	2		\$ 101,873.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	17		\$ 1.259.215.06	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	1			\$ 1.373.00
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 2.045.00
TOTAL		29	\$ 33,455.00	\$ 1,361,088.06	

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B6A (Official Form 6A) (12/07) In re: Charles D. Higuera Case No. (If known) Debtor **SCHEDULE A - REAL PROPERTY** CURRENT VALUE OF DEBTOR'S HUSBAND, WIFE, JOINT OR COMMUNITY INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY DESCRIPTION AND AMOUNT OF NATURE OF DEBTOR'S LOCATION OF SECURED INTEREST IN PROPERTY SECURED CLAIM OR EXEMPTION **PROPERTY** 

Total

0.00

Þ

(Report also on Summary of Schedules.)

CLAIM

B6B (Official Form 6B) (12/07)

In re	Charles D. Higuera		Case No.	
		Debtor		(If known)

### **SCHEDULE B - PERSONAL PROPERTY**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand	Х			
Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Personal Checking Account # 1401002188		150.00
Security deposits with public utilities, telephone companies, landlords, and others.	Х			
Household goods and furnishings, including audio, video, and computer equipment.		couches, home storage, chairs, Buffets, half round desk, sm. round size tble.	J	1,430.00
Household goods and furnishings, including audio, video, and computer equipment.		glass desk, File Cabinet, sm. Office Chair, King sz. Bed, Night stands, amoir, lamps, sm. Stereo, Hp computer, Hp printer		575.00
<ol> <li>Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.</li> </ol>		6 pictures 4 something 2 oils unknown artist		200.00
6. Wearing apparel.		3 suits 3 coats 12 shirts 3 pairs of shoes		1,000.00
7. Furs and jewelry.		Seiko watch		100.00
Firearms and sports, photographic, and other hobby equipment.	Х			
Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	Х			
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	х			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	Х			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.		100% owner of H C Home Acceptance, which has accounts receivable		25,000.00
Stock and interests in incorporated and unincorporated businesses. Itemize.		100% owner of Patio Designs by Charles		0.00
14. Interests in partnerships or joint ventures. Itemize.	X			

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B6B (Official Form 6B) (12/07) -- Cont.

In re	Charles D. Higuera		Case No.	
		Debtor	,	(If known)

### **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.	Х			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	Х			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	Х			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	Х			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	х			
22. Patents, copyrights, and other intellectual property. Give particulars.	Х			
23. Licenses, franchises, and other general intangibles. Give particulars.	Х			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		2000 Volkswagen Jetta		5,000.00
26. Boats, motors, and accessories.	Χ			
27. Aircraft and accessories.	Х			
28. Office equipment, furnishings, and supplies.	Х			
29. Machinery, fixtures, equipment and supplies used in business.	Х			
30. Inventory.	Х			
31. Animals.	Χ			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	Х			
34. Farm supplies, chemicals, and feed.	Χ			

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# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
<ol> <li>Other personal property of any kind not already listed. Itemize.</li> </ol>	X			
	_	2 continuation sheets attached Total	al >	\$ 33,455.00

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

B6C (Official Form 6C) (12/07)

✓ 11 U.S.C. § 522(b)(3)

In re	Charles D. Higuera		Case No.	
	<u> </u>	Debtor	,	(If known)

### **SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor claims the exemptions to which debtor is entitled under: (Check one box)	☐ Check if debtor claims a homestead exemption that exceeds \$136,875
☐11 U.S.C. § 522(b)(2)	

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
2000 Volkswagen Jetta	NRS § 21.090(1)(f)	5,000.00	5,000.00
3 suits 3 coats 12 shirts 3 pairs of shoes	NRS § 21.090(1)(b)	1,000.00	1,000.00
couches, home storage, chairs, Buffets, half round desk, sm. round size tble.	NRS § 21.090(1)(b)	1,430.00	1,430.00
glass desk, File Cabinet, sm. Office Chair, King sz. Bed, Night stands, amoir, lamps, sm. Stereo, Hp computer, Hp printer	NRS § 21.090(1)(b)	575.00	575.00
Seiko watch	NRS § 21.090(1)(z)	100.00	100.00

B6D (Official Form 6D) (12/07)

In re	Charles D. Higuera		Case No.	
	-	Debtor	 •	(If known)

### **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

☑ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.			VALUE					

continuation sheets attached

Subtotal → (Total of this page)

Total > (Use only on last page)

\$ 0.00	\$ 0.00
\$ 0.00	\$ 0.00

(Report also on Summary of (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

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36E	(Official Form 6E) (12/07)	
ln r	e Charles D. Higuera Case No.	
	Debtor (If known)	
	SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS	
	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.	
ΓΥΙ	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)	
	Domestic Support Obligations	
	Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or consible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in J.S.C. § 507(a)(1).	
	Extensions of credit in an involuntary case	
appo	Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the pointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).	
	Wages, salaries, and commissions	
	Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying spendent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).	
	Contributions to employee benefit plans	
ess	Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).	
	Certain farmers and fishermen	
	Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).	
	Deposits by individuals	
hat	Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, were not delivered or provided. 11 U.S.C. § 507(a)(7).	
Ą	Taxes and Certain Other Debts Owed to Governmental Units	
	Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).	
	Commitments to Maintain the Capital of an Insured Depository Institution	
Эov	Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of errors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution, 11 U.S.C.	

§ 507 (a)(9).

#### ☐ Claims for Death or Personal Injury While Debtor Was Intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

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B6E (Official Form 6E) (12/07) - Cont.

In re	Charles D. Higuera		Case No.	
	onance B. Inguera	Debtor		(If known)

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Type of Priority: Taxes and Certain Other Debts Owed to Governmental Units

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
ACCOUNT NO.			Bootte die				30,400.00	30,400.00	\$0.00
Clark County DA 200 E. Lewis Las Vegas NV 89155			Restitution				·	,	
Internal Revenue Service Attn: Bankruptcy Dept. Stop 5028 110 City Parkway Las Vegas, NV 89106			12/31/2007 income taxes for 2007 and 2008				40,500.00	40,500.00	\$0.00
ACCOUNT NO.  Nevada Employment Sec 500 E. Third Street Carson City NV 89713			12/31/2008 unemployment taxes				30,973.00	30,973.00	\$0.00

Sheet no.  $\underline{1}$  of  $\underline{1}$  continuation sheets attached to Schedule of Creditors Holding Priority Claims

Subtotals > (Totals of this page)

Total >
(Use only on last page of the completed
Schedule E. Report also on the Summary of
Schedules.)

Total > (Use only on last page of the completed Schedule E. If applicable, report also on the Statistical Summary of Certain Liabilities and Related Data.)

\$	101,873.00	\$ 101,873.00	\$ 0.00
\$	101,873.00		
-		\$ 101,873.00	\$ 0.00

B6F (Official Form 6F) (12/07)

In re	Charles D. Higuera		Case No.	
		obtor		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 5650119  Advantage c/o Affiliated Credit PO Box 7739 Rochester MN 55903			Timeshare debt				48,635.04
ACCOUNT NO. 160559  Alumaline Corp 57 E. Truman Ave. Salt Lake City UT 84115  Dubowsky Law Offices 330 South Third St.#680 Las Vegas NV 89101			line of credit		X		1,033.56
ACCOUNT NO. 0030332720  American Home PO Box 631730 Irving TX 75063			05/02/2008 home deficiency				192,000.00
ACCOUNT NO. Wash4260  Arrow Service 7301 N. Lincoln, #220 Lincolnwood IL 60646			01/01/2008 credit card				2,387.00

15 Continuation sheets attached

Subtotal > \$ 244,055.60

Total > Schedule F.)

B6F	(Official	<b>Form</b>	6F)	(12/07)	) - Cont.

In re	Charles D. Higuera	Case No.	
	Dobtov	(If known)	

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 124-25-813-004  Artcon 3021 Sheridan #150 Las Vegas NV 89102			line of Credit				1,923.18
ACCOUNT NO. 124-17-114-027  Artcon 3021 Sheridan #150 Las Vegas NV 89102			line of credit				1,635.90
ACCOUNT NO. 0018648972  Aurora Loan 10350 Park Meadows Dr Littleton CO 80124			home deficiency			x	18,074.85
ACCOUNT NO. 0018648931  Aurora Loan 10350 Park Meadows Dr. Littleton CO 80124			10/20/2008 Home deficiency on Dark Sands Home				169,940.40

Sheet no.  $\underline{1}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 191,574.33

In re	Charles D. Higuera	Case	No.
	Doh		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 5140218005566839							2,956.37
Barclays Bank c/o NCO Financial 507 Prudential Rd. Horsham PA 19044  HILCO 5 Revere Drive Northbrook IL 60062  Patenaude & FElix 1771 E. Flamingo #112A Las Vegas NV 89119			Credit Card				
Better Business Bureau of Southern Nevada Inc 2301 Palomino Lane Las Vegas NV 89107			claim				317.00
ACCOUNT NO. 529115203487900  Capital One PO Box 60024 Cty of Industry CA 91716			Credit Card				556.00
ACCOUNT NO. 4388642566989185  Capital One PO Box 60024 Cty of Industry CA 91716			Credit Card				980.00

Sheet no.  $\underline{2}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

4,809.37 Subtotal >

In re	Charles D. Higuera		Case No.	
	Dobte	, ,		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 4862362523307497							1,500.00
Capital One PO Box 60024 Cty of Industry CA 91716			Credit Card				
First Source Advantage PO Box 628 Buffalo NY 14240							
ACCOUNT NO. 4115072532286880							1,253.73
Capital One PO Box 60024 Cty of Industry CA 91716			Credit Card				
Allied Interstate 3000 Corporate Exchange 5th floor Columbus OH 43231							
Portfolio Recoverty Asso PO Box 12914 Norfolk VA 23541							
ACCOUNT NO. 4115072476596146							820.23
Capital One Bank PO Box 30285 Salt Lake City UT 84130			Credit Card				
NCO Financial 507 Prudential Road Horsham PA 19044							

Sheet no.  $\underline{3}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 3,573.96

Total > Schedule F.)

In re	Charles D. Higuera		Case No.	
	Dobte	, ,		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 4465615000412325							9,401.66
Central Credit Service PO Box 15118 Jacksonville FL 32239			credit card				
ACCOUNT NO. 10407314063418			9/1/2008				1,779.10
Chase Auto Finance National Recovery Group PO Box 29505 Phoenix AZ 85038  ARM PO Box. 129 Thorofare NJ 08086			Vehicle Deficiency				
ACCOUNT NO. 58889641							972.00
Chase Card PO Box 15298 Wilmington DE 19850			Credit Card				
ACCOUNT NO.							2,805.37
Cheyenne Rock 720 E. Cheyenne Ave. N. Las Vegas NV 89030			line of Credit				

Sheet no.  $\underline{4}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 14,958.13

Total > \$ chedule F.)

In re	Charles D. Higuera		Case No.	
		Dalatan	-) (If know	n)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. C11-08109-F098512			1/1/2009				287.50
City of Las Vegas Dept. of Finance PO Box 52799 Phoenix AZ 85072			business license				
ACCOUNT NO.			01/01/2009				200.00
Clark Co. Business License 500 S.Grand Central PKWY 3rd Floor PO Box 551810 Las Vegas NV 89155			Business License				
ACCOUNT NO. C2C13RES01268							131.00
Coast to Coast 6303 Tanque Verde #110 Tucson AZ 85715			Line of credit				
ACCOUNT NO. C2C13RES01261			2				166.00
Coast to Coast 6303 E. Tanque Verde #110 Tucson AZ 85715			line of credit				
ACCOUNT NO. 647003033			11/01/2004			Х	21,858.00
Columbia 10440 Little Patuxent Columbia MD 21044			Mortgage Dificiency				

Sheet no.  $\underline{5}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 22,642.50

Total > \$ chedule F.)

In re	Charles D. Higuera		Case No.	
	Dobte	, ,		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.							1,962.67
Concrete Texture c/o Commercial Invest. 6311 Van Nuys Blvd. Suite 441 Van Nuys CA 91401			line of Credit				
ACCOUNT NO. 4465615000412325							9,401.66
Credit Bureau Central PO Box 15118 Jacksonville FL 15118			WAMU credit card				
ACCOUNT NO. 9A303							76.00
Credit Bureau Central PO Box 29299 Las Vegas, NV 89126			Credit Card				
ACCOUNT NO. 300340209							4,086.50
DEX/RH Donnelley Publishing & Ad 8400 innovation Way Chicago IL 60682			advertising				
Caine & Weiner PO Box 5010 Woodland Hills CA 91365							

Sheet no.  $\underline{6}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 15,526.83

Total > Chedule F.)

In re	Charles D. Higuera		Case No.	
	De	h4.a.u	,	(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 60113800			2/1/2007				121.00
DMCCB 17600 N. Perimeter Dr. Scottsdale AZ 85255			credit card				
ACCOUNT NO. WC0058746-01							1,956.50
First Comp Insurance Co. 222 South 15 St. Ste. 1200 Omaha NB 68102			Insurance				
ACCOUNT NO. 4403631110221097							2,543.60
First National Credit PO Box 2677 Omaha NB 68103			Credit Card				
LTD Financial Services 7322 Southwest Freeway STe 1600 Houston TX 77074							
ACCOUNT NO. 4610078701181869							1,031.83
First Premier Bank PO Box 5147 Sioux Falls SD 57117			Credit Card				

Sheet no.  $\underline{7}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 5,652.93

Total > Chedule F.)

B6F	(Official	<b>Form</b>	6F)	(12/07)	) - Cont.

In re	Charles D. Higuera	Case No.
	Dalutar Dalutar	(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>5433628711942775</b>							1,025.68
First Premier Bank PO Box 5147 Sioux Falls SD 57117			Credit Card				
ACCOUNT NO. 44171630							6,681.00
First USA Bank 200 East Main Street Alhambra CA 91801			Credit Card				
ACCOUNT NO. 039726586							22,802.60
Ford Motor Credit PO Box 7172 Pasadena CA 91109			Auto lease 2006 lease deficiency				
Philips Harper & Harper PO Box 11400 Reno NV 89150							
ACCOUNT NO. 0085730174			06/11/2008				178,262.61
Greenpoint Mortgage PO Box 84013 Columbus GA 31908			Home deficiency on 5905 Hilmont Avenue, North Las Vegas, Nevada				

Sheet no.  $\,\underline{8}\,$  of  $\underline{15}\,$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

208,771.89 Subtotal >

B6F	(Official	<b>Form</b>	6F)	(12/07)	) - Cont.

In re	Charles D. Higuera	Case No.	
	Dobton	(If known)	

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 00875730182			06/11/2008			Х	23,354.40
Greenpoint/Countrywide PO Box 84013 Columbus GA 31908			Home deficiency on 5905 Hilmont Avenue, North Las Vegas Nevada				
ACCOUNT NO. <b>6035322133111033</b>							2,393.78
Home Depot Commercial c/o Pro Consulting Serv. PO Box 66768 Houston TX 77266			Credit Card				
ACCOUNT NO. 5488975029069641							2,612.04
Household Bank PO Box 60102 Cty of Industry CA 91716			Credit Card				
Avante USA Ltd. 2950 S. Gessner Rd. Houston TX 77063							
ACCOUNT NO. 4810265							5,520.00
HSBC PO Box 60136 Cty of Industry CA 91716			Credit Card				

Sheet no.  $\underline{9}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 33,880.22

Total > Chedule F.)

In re	Charles D. Higuera		Case No.	
	Dobte	, ,		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 0011819539			05/28/2008				73,384.15
HSBC PO Box 60136 Cty of Industry CA 91716			Home deficiency, 246 Whitewater Falls, Henderson Nevada				·
HMS 961 Weigel Elmhurst IL 60126							
ACCOUNT NO. 4810106							4,992.00
HSBC PO Box 60136 Cty of Industry CA 91716			Credit Card				
ACCOUNT NO. 6011380018197426							519.80
HSBC PO Box 60136 Cty of Industry CA 91716			Credit Card				
ACCOUNT NO. 1006679714			05/16/2008				98,508.98
Indymac Bank PO Box 78826 Phoenix AZ 85062			Home deficiency, 2451 N. Rainbow Blvd., #2036, Las Vegas Nevada				

Sheet no.  $\underline{10}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 177,404.93

Total > Schedule F.)

In re	Charles D. Higuera	Case	No.
	Doh		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 039726586			11/01/2004				21,254.71
Jaguar Credit National Bankruptcy Serv PO Box 537901 Livonia MI 48153  United Recovery Systems PO Box 722929 Houston TX 77272	•		Auto Lease 2006 Jaguar XK8 Repo				
ACCOUNT NO. 5140218005566839							2,663.56
Juniper Card Serv PO Box 13337 Philadelphia PA 19101			Credit Card				
ACCOUNT NO. 668100667			11/1/2005			Х	14,838.00
Loanworks 6900 Beatrice Drive Kalamazoo MI 49003			mortgage deficiency				
ACCOUNT NO. 44-023-600-916-1							1,948.89
Macy's PO Box 6938 The Lakes NV 88901			Credit Card				
Plaza Associates PO Box 18008 Hauppauge NY 11788							

Sheet no.  $\underline{11}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 40,705.16

Total > Chedule F.)

B6F	(Official	<b>Form</b>	6F)	(12/07)	) - (	Cont.

In re	Charles D. Higuera	Case No.	
	Dobton	(If known)	

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 41399800622729							9,561.01
Merchant Services Collections Department 6789 Quail Hill Pkwy #432 Irvine CA Transworld Systems PO Box 1864 Santa Rosa CA 95402			line of Credit				
ACCOUNT NO. 4120613010929070							4,149.23
Merrick Bank PO Box 5721 Hicksville NY 11802			Credit Card				
ACCOUNT NO. 412061301010							3,067.00
Merrick Bank Customer Service PO Box 9201 Old Bethpage NY 11804			Credit Card				
ACCOUNT NO. 1034400							23,892.12
Metals USA 3200 E. Gowan Rd. #115 N. Las Vegas NV 89030			line of Credit				,
Gamberg and Abrams 4000 Hollywood Blvd. Suite #350 North Hollywood FL 33201							

Sheet no.  $\underline{12}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

40,669.36 Subtotal >

In re	Charles D. Higuera		Case No.	
	Dobte	, ,		(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 0287436A							710.72
Northern Leasing 132 West 31 ST 14 Floor New York , NY 10001			Lease deficiency on credit card machine				
ACCOUNT NO. 20865776866M							291.60
Pitney Bowes Inc. 1 Elmcroft Road Stamford CN 06926		postage					
Caine & Weiner PO Box 5010 Woodland Hills CA 91365							
ACCOUNT NO. 130196							6,299.63
Platte River Insurance C PO Box 5900 Madison WI 53705			contractor's bond claim				
JOMAX 20325 N. 51 Suite #134 Glendale AZ 85308							
ACCOUNT NO. xxxxxx1985			01/01/2008				9,035.10
Providian 1301 Second Avenue Seattle WA 98101			credit card				

Sheet no.  $\underline{13}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

16,337.05 Subtotal >

B6F	(Official	<b>Form</b>	6F)	(12/07)	) - (	Cont.

In re	Charles D. Higuera	Case No.	
	Dobton	(If known)	

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 393161							1,231.49
Riberio-Plaza Vegas Mini 3585 S. Highland Dr. Las Vegas NV 89103 Clark County Collection 6124 W Sahara Ave.			Office space and storage deficiency				
Las Vegas NV 89146			-				
ACCOUNT NO. <b>0011251600</b>			2/1/2005				102,871.00
Select Portfolio Serv. PO Box 65450 Salt Lake City UT 84165			Home deficiency on 246 Whitewater Falls				
ACCOUNT NO. <b>22965743925342</b>							200.38
Sparkletts Sierra Springs PO Box 660579 Dallas TX 75266		Water for office					
ACCOUNT NO.							6,000.00
Star Nursery 4810 Wynn Road Las Vegas NV 89103			bad check				

Sheet no.  $\underline{14}$  of  $\underline{15}$  continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal > \$ 110,302.87

Total > \$ chedule F.)

In re	Charles D. Higuera		Case No.	
	De	h4.a.u	,	(If known)

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

			(Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 03073380300480			11/01/2005				482.02
Telecheck Services 6200 S. Quebec St. Greenwood Vill CO 80111			check service				
Freidman & WExler 500 W. Madison St #2910 Chicago IL 60661							
ACCOUNT NO. 5409795000464595							2,323.28
Washington Mutual PO Box 6938 Dallas TX 75266  Arrow Financial Services 5996 W. Touhy Ave. NIles IL 60714  Central Credit Serv. PO Box 15118 Jacksonville FL 32239			Credit Card				
ACCOUNT NO. 1905363			11/1/2004			Х	102,871.25
Wilshire PO Box 7195 Pasadena CA 91109			Home deficiency				
ACCOUNT NO. 499587						Х	22,673.38
Wilshire PO Box 7195 Pasadena CA 91109		•	Home deficiency				
Sheet no. 15 of 15 continuation sheets attached to Schedule of C	red	itors		Subt	otal	<b>\$</b>	128,349.93

Holding Unsecured Nonpriority Claims

1,259,215.06

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B6G (Official Form 6G) (12/07)

In re:	Charles D. Historia		
	Charles D. Higuera	, Case No	
	Debtor		(If known)

## **SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

 $\hfill \Box$  Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
Northern Leasing 132 West 31 ST 14 Floor New York , NY 10001	lease of credit card machine
Riberio-Plaza Vegas Mini 3585 S. Highland Dr. Las Vegas NV 89103	office spaceaccount Account #393161 REF # 120621

#### Case 09-25532-lbr Doc 1 Entered 08/24/09 12:34:18 Page 34 of 61

In re: Charles D. Higuera

Case No.

Debtor

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

#### Case 09-25532-lbr Doc 1 Entered 08/24/09 12:34:18 Page 35 of 61

**B6I (Official Form 6I) (12/07)** 

In re	Charles D. Higuera	Case No.	
	Debtor	<del>_</del>	(If known)

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status: <b>single</b>	DEPENDENTS OF DEBTOR AND SPOUSE			
	RELATIONSHIP(S):		AGE	E(S):
Employment:	DEBTOR		SPOUSE	
Occupation unem	ployed			
Name of Employer	F - 22 - 2			
How long employed 0				
Address of Employer				
INCOME: (Estimate of average or page of grant case filed)	projected monthly income at time	[	DEBTOR	SPOUSE
Monthly gross wages, salary, and (Prorate if not paid monthly.)     Estimate monthly overtime	d commissions	\$ \$	0.00 \$ 0.00 \$	
3. SUBTOTAL		\$	0.00 \$	
4. LESS PAYROLL DEDUCTIONS	S		· ·	
a. Payroll taxes and social se	curity	\$	0.00 \$	
b. Insurance		\$	0.00 \$	
c. Union dues		\$	0.00 \$	
d. Other (Specify)		\$	<b>0.00</b> \$	
5. SUBTOTAL OF PAYROLL DE	DUCTIONS	\$	0.00 \$	
6. TOTAL NET MONTHLY TAKE I	HOME PAY	\$	0.00 \$	
7. Regular income from operation of	of business or profession or farm			
(Attach detailed statement)		\$	0.00 \$	
8. Income from real property		\$	0.00 \$	
9. Interest and dividends		\$	0.00 \$	
10. Alimony, maintenance or support debtor's use or that of dependent	ort payments payable to the debtor for the lents listed above.	\$	0.00 \$	
11. Social security or other government	ment assistance		4.070.00	
(Specify) Social Security		\$	1,373.00 \$	
12. Pension or retirement income		\$	0.00 \$	
13. Other monthly income				
(Specify)		\$	0.00 \$	
14. SUBTOTAL OF LINES 7 THR	OUGH 13	\$	1,373.00 \$	
15. AVERAGE MONTHLY INCOM	IE (Add amounts shown on lines 6 and 14)	\$	1,373.00 \$	
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)			\$ 1,373.00	
17. Describe any increase or decre	ease in income reasonably anticipated to occur within	Statistical S	on Summary of Schedule ummary of Certain Liabilit the filing of this documen	ies and Related Data)

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**B6J (Official Form 6J) (12/07)** 

In re	Charles D. Higuera		Case No.	
		ehtor	•	(If known)

### SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

	Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate
, ,	lyments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may
differ f	from the deductions from income allowed on Form22A or 22C.
	Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of

400.00 100.00 0.00
0.0
100.0
100.00
0.0
400.0
35.0
25.0
80.0
175.0
100.0
0.0
0.0
0.0
0.0
80.08
0.0
450.0
0.0
0.0
0.0
0.0
0.0
0.0
2,045.00
•

20. STATEMENT OF MONTHLY NET INCOME	
a. Average monthly income from Line 15 of Schedule I	\$ 1,373.00
b. Average monthly expenses from Line 18 above	\$ 2,045.00
c. Monthly net income (a. minus b.)	\$ -672.00

# UNITED STATES BANKRUPTCY COURT District of Nevada

In re: Charles D. Higuera Case No. \_\_\_\_\_

Chapter 7

	BUSINESS INCOME AN	ID EXPENSE	S		
	FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONL)	/ INCLUDE information	n directly related to	the business	
operation	.)				
PART A	- GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS:				
1.	Gross Income For 12 Months Prior to Filing:	\$	0.00		
PART B	- ESTIMATED AVERAGE FUTURE <u>GROSS</u> MONTHLY INCOME:				
2.	Gross Monthly Income:			\$	0.00
PART C	- ESTIMATED FUTURE MONTHLY EXPENSES:				
	Net Employee Payroll (Other Than Debtor)	\$	0.00		
	Payroll Taxes		0.00		
	Unemployment Taxes		0.00		
	Worker's Compensation		0.00		
7.	Other Taxes		0.00		
8.	Inventory Purchases (Including raw materials)		0.00		
	Purchase of Feed/Fertilizer/Seed/Spray		0.00		
10.	Rent (Other than debtor's principal residence)		0.00		
11.	Utilities		0.00		
12.	Office Expenses and Supplies		0.00		
	Repairs and Maintenance		0.00		
14.	Vehicle Expenses		0.00		
15.	Travel and Entertainment		0.00		
16.	Equipment Rental and Leases		0.00		
17.	Legal/Accounting/Other Professional Fees		0.00		
18.	Insurance		0.00		
19.	Employee Benefits (e.g., pension, medical, etc.)		0.00		
20.	Payments to Be Made Directly By Debtor to Secured Creditors For				
	Pre-Petition Business Debts (Specify):				
	None				
21.	Other (Specify):				
	None				
22.	Total Monthly Expenses (Add items 3 - 21)			\$	0.00
PART D	- ESTIMATED AVERAGE <u>NET</u> MONTHLY INCOME:				
23.	AVERAGE NET MONTHLY INCOME (Subtract Item 22 from Item 2)			\$	0.00

Form 6 - Statistical Summary (12/07)

# United States Bankruptcy Court District of Nevada

In re	Charles D. Higuera	Case No.	
	Debtor	-, Chapter	7
	STATISTICAL SUMMARY OF CERTAIN LIABILITI	ES AND RELATED [	DATA (28 U.S.C. § 159)
§ 101	If you are an individual debtor whose debts are primarily consumer debts, (8)), filing a case under chapter 7, 11 or 13, you must report all information req		Bankruptcy Code (11 U.S.C.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 101,873.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$
Student Loan Obligations (from Schedule F)	\$
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E.	\$
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$
TOTAL	\$ 101,873.00

# State the following:

Average Income (from Schedule I, Line 16)	\$ 1,373.00
Average Expenses (from Schedule J, Line 18)	\$ 2,045.00
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20)	\$ 1,373.00

## State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 101,873.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$0.00
4. Total from Schedule F		\$1,259,215.06
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$1,259,215.06

# Case 09-25532-lbr Doc 1 Entered 08/24/09 12:34:18 Page 39 of 61

In re Charles D. Higuera

Debtor

Case No.

Debtor

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: 8/18/2009

Signature: s/ Charles D. Higuera
Debtor

[If joint case, both spouses must sign]

(NOT APPLICABLE)

B7 (Official Form 7) (12/07)

# UNITED STATES BANKRUPTCY COURT District of Nevada

re:	Charles D. Higuera		Case No.		
		Debtor	(If known)		
		STATEMENT OF FINANCIAL AFFAIRS			
	1. Income from er	mployment or operation of bu	ısiness		
one	debtor's business, inclubeginning of this calend years immediately pred of a fiscal rather than a fiscal year.) If a joint per the second year.	Iding part-time activities either as an dar year to the date this case was co ceding this calendar year. (A debtor to calendar year may report fiscal year etition is filed, state income for each ancome of both spouses whether or necessity.	rom employment, trade, or profession, or from operation of the employee or in independent trade or business, from the mmenced. State also the gross amounts received during the <b>two</b> hat maintains, or has maintained, financial records on the basis income. Identify the beginning and ending dates of the debtor's spouse separately. (Married debtors filing under chapter 12 or ot a joint petition is filed, unless the spouses are separated and a		
	AMOUNT	SOURCE	FISCAL YEAR PERIOD		
	16,000.00	wages	2007		
	16000.00 est.	wages	2008		
	2. Income other t	han from employment or ope	eration of business		
one	business during the <b>tw</b> filed, state income for e	o years immediately preceding the ceach spouse separately. (Married de	an from employment, trade, profession, operation of the debtor's commencement of this case. Give particulars. If a joint petition is otors filing under chapter 12 or chapter 13 must state income for the spouses are separated and a joint petition is not filed.)		
	AMOUNT	SOURCE	FISCAL YEAR PERIOD		

# Complete a. or b., as appropriate, and c.

None **☑**  a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS

AMOUNT PAID AMOUNT STILL OWING None **☑**  b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90** days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF PAYMENTS/ TRANSFERS AMOUNT PAID OR VALUE OF TRANSFERS

AMOUNT STILL OWING

None ✓ c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID AMOUNT STILL OWING

# 4. Suits and administrative proceedings, executions, garnishments and attachments

None

not filed.)

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY AND LOCATIO

STATUS OR DISPOSITION

None **☑**  b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS

OF PERSON FOR WHOSE

BENEFIT PROPERTY WAS SEIZED

DESCRIPTION

AND VALUE OF

BENEFIT PROPERTY WAS SEIZED

DESCRIPTION

AND VALUE OF

PROPERTY

# 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF REPOSSESSION, DESCRIPTION
NAME AND ADDRESS FORECLOSURE SALE, AND VALUE OF
OF CREDITOR OR SELLER TRANSFER OR RETURN PROPERTY

ARM Auto Loan 2003 Cadillac

PO Box 129

Thorofare NJ 08086

Aurora Loan 10/20/2008 foreclosed home, 10452 Dark Sands

10350 Park Meadows Dr Ave., Las Vegas Nevada

Littleton CO 80124

Chase Auto Finance 09/01/2008 Auto Loan 2003 Cadillac

**National Recovery Group** 

PO Box 29505 Phoenix AZ 85038

Greenpoint/Countrywide 06/20/2008 Foreclosed home, 5905 Hilmont Ave.,

PO Box 84013 North Las Vegas Nevada

Columbus GA 31908

HSBC 05/28/2008 Foreclosed home, 246 Whitewater Falls

PO Box 60136 Court, Henderson Nevada

Cty of Industry CA 91716

Indymac Bank 05/16/2008 foreclosed condo, 2451 N. Rainbow

PO Box 78826 Blvd., #2036, Las Vegas, Nevada

Phoenix AZ 85062

Jaguar Credit c/o Auto Lease 2006 Jaguar XK8

National Bankruptcy serv

PO Box 537901 Livonia MI 48153

### 6. Assignments and receiverships

None 

✓

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

TERMS OF

3

NAME AND ADDRESS DATE OF ASSIGNMENT
OF ASSIGNEE ASSIGNMENT OR SETTLEMENT

None **☑** 

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS

NAME AND ADDRESS

OF COURT

OF CUSTODIAN

OF COURT

CASE TITLE & NUMBER

ORDER

DESCRIPTION

AND VALUE OF

PROPERTY

### 7. Gifts

None **☑**  List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	RELATIONSHIP		DESCRIPTION
OF PERSON	TO DEBTOR,	DATE	AND VALUE OF
OR ORGANIZATION	IF ANY	OF GIFT	GIFT

# 8. Losses

None **☑**  List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION	DESCRIPTION OF CIRCUMSTANCES AND, IF	
AND VALUE OF	LOSS WAS COVERED IN WHOLE OR IN PART	DATE OF
PROPERTY	BY INSURANCE, GIVE PARTICULARS	LOSS

# 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

Stephens Gourley & By	5/8/2009	1800.00
	OTHER THAN DEBTOR	OF PROPERTY
OF PAYEE	NAME OF PAYOR IF	DESCRIPTION AND VALUE
NAME AND ADDRESS	DATE OF PAYMENT,	AMOUNT OF MONEY OR

Stephens Gourley & By 3636 N Rancho Las Vegas NV 89130

#### 10. Other transfers

None **☑**  a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,
RELATIONSHIP TO DEBTOR
DESCRIBE PROPERTY
TRANSFERRED
AND VALUE RECEIVED

None 

✓

b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DATE(S) OF AMOUNT OF MONEY OR DESCRIPTION
DEVICE TRANSFER(S) AND VALUE OF PROPERTY OR DEBTOR
INTEREST IN PROPERTY

# 11. Closed financial accounts

None **☑**  List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

5

TYPE OF ACCOUNT, LAST FOUR AMOUNT AND NAME AND ADDRESS DIGITS OF ACCOUNT NUMBER, DATE OF SALE OF INSTITUTION AND AMOUNT OF FINAL BALANCE OR CLOSING

# 12. Safe deposit boxes

None **☑**  List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS NAMES AND ADDRESSES DESCRIPTION DATE OF TRANSFER
OF BANK OR OF THOSE WITH ACCESS OF OR SURRENDER,
OTHER DEPOSITORY TO BOX OR DEPOSITOR CONTENTS IF ANY

# 13. Setoffs

None 

✓

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF AMOUNT OF NAME AND ADDRESS OF CREDITOR SETOFF SETOFF

## 14. Property held for another person

None **☑**  List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS

DESCRIPTION AND VALUE

OF OWNER OF PROPERTY LOCATION OF PROPERTY

#### 15. Prior address of debtor

None

If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS NAME USED DATES OF OCCUPANCY

246 Whitewater Falls Ct Charles D. Higuera 9/1/2007 - 12/31/2007

Las Vegas NV 89012

10452 Dark Sands Charles D. Higuera 1/1/2008 - 9/1/2008

Las Vegas NV 89126

### 16. Spouses and Former Spouses

None 
☑

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor 's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

# None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

SITE NAME AND NAME AND ADDRESS DATE OF ENVIRONMENTAL ADDRESS OF GOVERNMENTAL UNIT NOTICE LAW

# None ✓

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND NAME AND ADDRESS DATE OF ENVIRONMENTAL ADDRESS OF GOVERNMENTAL UNIT NOTICE LAW

# None **☑**

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS DOCKET NUMBER STATUS OR OF GOVERNMENTAL UNIT DISPOSITION

7

# 18. Nature, location and name of business

None 

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within the six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the six years immediately preceding the commencement of this case.

LAST FOUR DIGITS

OF SOCIAL SECURITY ADDRESS OR OTHER INDIVIDUAL NATURE OF **BEGINNING AND ENDING** NAME

BUSINESS **DATES** TAXPAYER-I.D. NO.

(ITIN)/ COMPLETE EIN

**C H Homeowners** 0798491 3388 Townhouse Drive financing 01/01/2004

Acceptanc Las Vegas NV 89121

Patio Designs by 41-2108067 3388 Townhouse Dr. patio design and 03/01/2003 **Charles** Las Vegas NV 89121 build

03/01/2008

None  $\square$ 

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME ADDRESS

#### 19. Books, records and financial statements

None  $\mathbf{\Delta}$ 

a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

None Ø

b. List all firms or individuals who within two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

**ADDRESS** 

DATES SERVICES RENDERED

None  $\mathbf{Q}$ 

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

**ADDRESS** 

None  $\mathbf{\Delta}$ 

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case.

NAME AND ADDRESS

DATE ISSUED

## 20. Inventories

None  $\square$ 

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)

8

None **☑**  b. List the name and address of the person having possession of the records of each of the inventories reported in a., above.

NAME AND ADDRESSES OF CUSTODIAN

DATE OF INVENTORY

OF INVENTORY RECORDS

# 21. Current Partners, Officers, Directors and Shareholders

None **☑**  a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

None 🗹

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

TITLE

NATURE AND PERCENTAGE OF STOCK OWNERSHIP

NAME AND ADDRESS

1111

# 22. Former partners, officers, directors and shareholders

None **☑** 

a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

**ADDRESS** 

DATE OF WITHDRAWAL

None **☑**  b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

# 23. Withdrawals from a partnership or distributions by a corporation

None ☑ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL AMOUNT OF MONEY
OR DESCRIPTION
AND VALUE OF PROPERTY

### 24. Tax Consolidation Group.

None 
☑

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

# 25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

9

\* \* \* \* \* \*

[if completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 8/18/2009 Signature of Debtor Charles D. Higuera Charles D. Higuera

B 8 (Official Form 8) (12/08)

# UNITED STATES BANKRUPTCY COURT District of Nevada

	s D. Higuera		Case No.	Chapter 7
CHAPTER 7 INDIVI	DUAL DEBTO	R'S STATEME	ENT OF INT	ENTION
PART A – Debts secured by property by property of the estate. Attach add			ted for <b>EACH</b> deb	t which is secured
Property No. 1				
Creditor's Name: None		Describe Property	Securing Debt:	
Property will be (check one):  _ Surrendered	☐ Retained			
If retaining the property, I intend to  Redeem the property  Reaffirm the debt	o (check at least one):			
Other. Explain		(for example, avoid	lien using 11 U.S	S.C. § 522(f))
Property is <i>(check one)</i> :  Claimed as exempt		■ Not claimed as ex	empt	
PART B – Personal property subject each unexpired lease. Attach addition			Part B must be con	mpleted for
Property No. 1				
Lessor's Name:	Describe Lease	d Property:	Lease will be A	ssumed pursuant

Northern Leasing	lease of credit card machine	to 11 U.S.C. § 365(p)(2): ☐ YES ☑ NO
Property No. 2		
Lessor's Name: Riberio-Plaza Vegas Mini	Describe Leased Property: office spaceaccount Account #393161 REF # 120621	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2):  ☐ YES ☑ NO

\_\_\_\_\_\_ continuation sheets attached (if any)

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

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B 8 (Official Form 8) (12/08)

Date: <u>8/18/2009</u> <u>s/ Charles D. Higuera</u>

Charles D. Higuera
Signature of Debtor

Form B1, Exhibit C (9/01)

# UNITED STATES BANKRUPTCY COURT District of Nevada

Exhibit "C"

[If, to the best of the debtor's knowledge, the that poses or is alleged to pose a threat of imminent at	
safety, attach this Exhibit "C" to the petition.]	
In re: Charles D. Higuera	Case No.:
	Chapter: 7
Debtor(s)	
Exhibit "C" to	Voluntary Petition
1. Identify and briefly describe all real or personal the debtor that, to the best of the debtor's knowledge, primminent and identifiable harm to the public health or second	poses or is alleged to pose a threat of
N/A	
2. With respect to each parcel of real property question 1, describe the nature and location of the danger or otherwise, that poses or is alleged to pose a threat of public health or safety (attach additional sheets if necessary).	gerous condition, whether environmental firmminent and identifiable harm to the
N/A	

B202 (Form 202) (08/07)

# United States Bankruptcy Court District of Nevada

In re	Charles D. Higuera	Case Number Chapter 7	
	STATEMENT O	F MILITARY SERVICE	
	OTATEMENT O	WIETTAKT SERVISE	
others	The Servicemembers' Civil Relief Act of 2003 in judicial proceedings or transactions that may a see Each party to a bankruptcy case who might be ne Bankruptcy Court.		lependents, and
IDEN	TIFICATION OF SERVICEMEMBER		
	Self (Debtor, Codebtor, Creditor, Other)		
	Non-Filing Spouse of Debtor (name)		
	Other (Name of servicemember)		
		ber)	
U.S. A	OF MILITARY SERVICE  Armed Forces (Army, Navy, Air Force, Marine Con Service or the National Oceanic and Atmosphere	orps, or Coast Guard) or commissioned officer	of the Public
	Active Service since		(date)
	Inductee - ordered to report on		(date)
	Retired / Discharged		(date)
U.S. N	Ailitary Reserves and National Guard		
	Active Service since		(date)
	Impending Active Service - orders postmarke	ed	(date)
	Ordered to report on		(date)
	Retired / Discharged		(date)
U.S. C	Citizen Serving with U.S. ally in war or military ac	ction (specify ally and war or action)	
	Active Service since		(date)
	Retired / Discharged		(date)
DFPI	OYMENT		
	Servicemember deployed overseas on		(date)
	Anticipated completion of overseas tour-of-du	uty	(date)
SIGN	ATURE		
s/ Cha	arles D. Higuera	8/18/2009	_
Charl	es D. Higuera	Date	_
	name)		

B 203 (12/94)

# UNITED STATES BANKRUPTCY COURT District of Nevada

In	re:	(	Charles D. Higuera			Case No.		
		-	Debtor			Chapter	7	
			DISCLOSURE	EO	FOR DEBTOR	TORNE'	Y	
1.	and the	nat co o me	ompensation paid to me within one year l	befor	2016(b), I certify that I am the attorney for the above re the filing of the petition in bankruptcy, or agreed to behalf of the debtor(s) in contemplation of or in		or(s)	
	F	or le	gal services, I have agreed to accept			:	\$	1,800.00
	Р	rior t	o the filing of this statement I have receive	ved		:	\$	0.00
	В	aland	ce Due			;	\$	1,800.00
2.	The s	ource	e of compensation paid to me was:					
		abla	Debtor		Other (specify)			
3.	The s	ource	e of compensation to be paid to me is:					
			Debtor		Other (specify)			
4.	Ø		eve not agreed to share the above-disclo ny law firm.	sed o	compensation with any other person unless they are	e members ar	nd associate	es
		my	_		pensation with a person or persons who are not me with a list of the names of the people sharing in the			
5.	In retu inclu			d to r	ender legal service for all aspects of the bankruptcy	case,		
	a)		alysis of the debtor's financial situation, a etition in bankruptcy;	and re	endering advice to the debtor in determining whethe	er to file		
	b)	Pre	paration and filing of any petition, sched	ules,	statement of affairs, and plan which may be require	ed;		
	c)	Rep	presentation of the debtor at the meeting	of cr	reditors and confirmation hearing, and any adjourne	ed hearings th	ereof;	
	d)	-	ner provisions as needed] 5 per hour + cost					
6.	Ву ас	green	nent with the debtor(s) the above disclos	ed fe	ee does not include the following services:			
		ad	versary preceedings and non dis	scha	arge litigation			
					CERTIFICATION			
r		-	nat the foregoing is a complete statemen on of the debtor(s) in this bankruptcy pro		any agreement or arrangement for payment to me for ding.	or		
[	Dated:	<u>8/1</u>	8/2009					
					<i>ls/davidastephens</i> David A. Stephens, Bar No. 00902			
					Stephens Gourley & Bywater Attorney for Debtor(s)			

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re	Charles D. Higuera	Case No.	
	Debtor.	Chapter	7

# STATEMENT OF MONTHLY NET INCOME

The undersigned certifies the following is the debtor's monthly income .

Income:	Debtor		
Six months ago	\$3,000.00		
Five months ago	\$3,000.00		
Four months ago	\$3,000.00		
Three months ago	\$3,000.00		
Two months ago	\$0.00		
Last month	\$0.00		
Income from other sources	\$ <mark>7,800.00</mark>		
Total gross income for six months preceding filing	\$ <u>19,800.00</u>		
Average Monthly Net Income	\$ 3,300.00		

Attached are all payment advices received by the undersigned debtor prior to the petition date, I declare under penalty of perjury that I have read the foregoing statement and that it is true and correct to the best of my knowledge, information, and belief.

Dated:	8/18/2009	- -
		s/ Charles D. Higuera
		Charles D. Higuera
		Debtor

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# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re:		,	Bankruptcy N	o.:
Charles D. Higuera		) ) )	Chapter	7
		) ) )	VERIFICAT MATRIX	TION OF CREDITOR
	Debtor(s).	) ) )		
The above named his/her knowledge.	Debtor hereby verifies	that the a	ttached list of c	reditors is true and correct to the best o
Date <b>8/18/2009</b>		S		arles D. Higuera es D. Higuera

vercredmatrix.wpd rev. 4/12/07

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Charles D. Higuera 3388 Townhouse Dr. Las Vegas, NV 89121

Artcon 3021 Sheridan #150 Las Vegas NV 89102

Capital One PO Box 60024 Cty of Industry CA 91716

David A. Stephens Stephens Gourley & Bywat 3636 N. Rancho Drive Las Vegas, NV 89130

Aurora Loan 10350 Park Meadows Dr. Littleton CO 80124

Capital One PO Box 60024 Cty of Industry CA 91716

Advantage c/o Affiliated Credit PO Box 7739 Rochester MN 55903

Aurora Loan 10350 Park Meadows Dr Littleton CO 80124

Capital One Bank PO Box 30285 Salt Lake City UT 84130

Northern Leasing Avante USA Ltd.

132 West 31 ST 14 Floor 2950 S. Gessner Rd.
New York , NY 10001 Houston TX 77063

Central Credit Serv. PO Box 15118 Jacksonville FL 32239

Allied Interstate 3000 Corporate Exchange 5th floor 5th floor Columbus OH 43231

Barclays Bank Barclays Bank c/o NCO Financial 507 Prudential Rd. Horsham PA 19044

Central Credit Service PO Box 15118 Jacksonville FL 32239

Alumaline Corp 57 E. Truman Ave. Salt Lake City UT 84115

Better Business Bureau o Southern Nevada Inc National Recovery Group
2301 Palomino Lane PO Box 29505 Las Vegas NV 89107

Chase Auto Finance Phoenix AZ 85038

American Home PO Box 631730 Irving TX 75063 Caine & Weiner PO Box 5010 Woodland HIlls CA 91365 Chase Card PO Box 15298 Wilmington DE 19850

ARM PO Box. 129 Thorofare NJ 08086 Caine & Weiner PO Box 5010 Woodland HIlls CA 91365

Cheyenne Rock 720 E. Cheyenne Ave. N. Las Vegas NV 89030

Arrow Financial Services 5996 W. Touhy Ave. NIles IL 60714

Capital One PO Box 60024 Cty of Industry CA 91716

City of Las Vegas Dept. of Finance PO Box 52799 Phoenix AZ 85072

Arrow Service 7301 N. Lincoln, #220 Lincolnwood IL 60646

Capital One PO Box 60024 Cty of Industry CA 91716

Clark Co. Business Licen 500 S.Grand Central PKWY 3rd Floor PO Box 551810 Las Vegas NV 89155

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Clark County Coll.
6124 W Sahara Ave.
89146 Clark County Collection Dubowsky Law Offices Gamberg and Abrams 4000 Hollywood Blvd. Suite #350 North Hollywood FL 33201 330 South Third St.#680 Las Vegas NV 89101 200 E. Lewis First Comp Insurance Co. Greenpoint Mortgage
222 South 15 St. PO Box 84013
Ste. 1200 Columbus GA 31908 PO Box 84013 Columbus GA 31908 Las Vegas NV 89155 Ste. 1200 Omaha NB 68102 First National Credit Greenpoint/Countrywide Coast to Coast 6303 Tanque Verde PO Box 2677 PO Box 84013 Omaha NB 68103 #110 Columbus GA 31908 Tucson AZ 85715 First Premier Bank
PO Box 5147 Coast to Coast HILCO 6303 E. Tanque Verde PO Box 5147 5 Revere Drive Sioux Falls SD 57117 Northbrook IL 60062 Tucson AZ 85715 First Premier Bank Columbia HMS PO Box 5147 961 Weigel Elmhurst IL 60126 10440 LIttle Patuxent Columbia MD 21044 Sioux Falls SD 57117 Concrete Texture First Source Advantage c/o Commercial Invest. PO Box 628
6311 Van Nuys Blvd. Buffalo NY 14240 First Source Advantage Home Depot Commercial c/o Pro Consulting Serv. PO Box 66768 Suite 441 Houston TX 77266 Van Nuys CA 91401 Credit Bureau Central First USA Bank
PO Box 29299 200 East Main Street
Las Vegas, NV 89126 Alhambra CA 91801 Household Bank PO Box 29299 Las Vegas, NV 89126 PO Box 60102 Cty of Industry CA 91716 Credit Bureau Central Ford Motor Credit HSBC PO Box 60136 PO Box 15118 PO Box 7172 Jacksonville FL 15118 Pasadena CA 91109 Cty of Industry CA 91716 DEX/RH Donnelley United Recovery Systems Indymac Bank
Publishing & Ad PO Box 722929 PO Box 78826
8400 innovation Way Houston TX 77272 Phoenix AZ 85 Phoenix AZ 85062

DMCCB 17600 N. Perimeter Dr. Scottsdale AZ 85255

Chicago IL 60682

Freidman & WExler 500 W. Madison St #2910 Chicago IL 60661

Internal Revenue Service Attn: Bankruptcy Dept. Stop 5028 110 City Parkway Las Vegas, NV 89106

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Juniper Card Serv PO Box 13337 Philadelphia PA 19101

NCO Financial 507 Prudential Road Horsham PA 19044

Select Portfolio Serv. PO Box 65450 Salt Lake City UT 84165

Jaguar Credit National Bankruptcy Serv PO Box 537901 Livonia MI 48153

Nevada Employment Sec Sparkletts Sierra Sprin 500 E. Third Street PO Box 660579 Carson City NV 89713 Dallas TX 75266

JOMAX 20325 N. 51 Suite #134 Glendale AZ 85308

Patenaude & FElix Patenaude & FElix 1771 E. Flamingo #112A Las Vegas NV 89119

Star Nursery 4810 Wynn Road Las Vegas NV 89103

Loanworks 6900 Beatrice Drive Kalamazoo MI 49003

Philips Harper & Harper PO Box 11400 Reno NV 89150

Telecheck Services 6200 S. Quebec St. Greenwood Vill CO 80111

LTD Financial Services 7322 Southwest Freeway STe 1600 Houston TX 77074

Platte River Insurance C PO Box 5900 Madison WI 53705

Transworld Systems PO Box 1864 Santa Rosa CA 95402

Macy's PO Box 6938 The Lakes NV 88901 Pitney Bowes Inc. 1 Elmcroft Road Stamford CN 06926

Washington Mutual PO Box 6938 Dallas TX 75266

Merchant Services Collections Department 6789 Quail Hill Pkwy #432 Irvine CA

Plaza Associates PO Box 18008 Hauppauge NY 11788

Wilshire PO Box 7195 Pasadena CA 91109

Merrick Bank PO Box 5721 Hicksville NY 11802 Portfolio Recoverty Asso Wilshire PO Box 12914 Norfolk VA 23541 PO Box 12914

PO Box 7195 Pasadena CA 91109

Merrick Bank Customer Service PO Box 9201 Old Bethpage NY 11804

Providian 1301 Second Avenue Seattle WA 98101

Metals USA 3200 E. Gowan Rd. #115 3585 S. Highland Dr. N. Las Vegas NV 89030 Las Vegas NV 89103

Riberio-Plaza Vegas Mini

B10 (Official Form 100126/08) 09-25532-lbr Doc 1 Entered 08/24/09 12:34:18 Page 59 of 61 PROOF OF CLAIM UNITED STATES BANKRUPTCY COURT Name of Debtor: Case Number: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an NOTE: administrative expense may be filed pursuant to 11 U.S.C. § 503. Name of Creditor (the person or other entity to whom the debtor owes money or property): ☐ Check this box to indicate that this claim amends a previously filed claim. Name and address where notices should be sent: Court Claim Number: (If known) Filed on: Telephone number: Name and address where payment should be sent (if different from above):  $\square$  Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. ☐ Check this box if you are the debtor Telephone number: or trustee in this case. Amount of Claim Entitled to Priority under 11 1. Amount of Claim as of Date Case Filed: U.S.C. §507(a). If any portion of your claim If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not falls in one of the following categories, check complete item 4. the box and state the amount. If all or part of your claim is entitled to priority, complete item 5. Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges. Specify the priority of the claim. 2. Basis for Claim: ■ Domestic support obligations under (See instruction #2 on reverse side.) 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). ☐ Wages, salaries, or commissions (up to \$10,950\*) 3. Last four digits of any number by which creditor identifies debtor: earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's 3a. Debtor may have scheduled account as: business, whichever is earlier - 11 U.S.C. §507 (See instruction #3a on reverse side.) ☐ Contributions to an employee benefit 4. Secured Claim (See instruction #4 on reverse side.) plan - 11 U.S.C. §507 (a)(5). Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested ☐ Up to \$2,425\* of deposits toward information. purchase, lease, or rental of property Nature of property or right of setoff: 

Real Estate 

Motor Vehicle ☐ Other or services for personal, family, or household use -Describe: 11 U.S.C. §507 (a)(7). ☐ Taxes or penalties owed to governmental units – 11 Value of Property:\$\_\_\_\_\_ Annual Interest Rate \_\_\_\_\_ U.S.C. §507(a)(8). Amount of arrearage and other charges as of time case filed included in secured claim, ☐ Other – Specify applicable paragraph if any: \$ Basis for perfection: of 11 U.S.C. §507 (a)(). Amount of Secured Claim: \$ Amount of Unsecured: \$ Amount entitled to priority 6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of \*Amounts are subject to adjustment on 4/1/10 and every 3 perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on years thereafter with respect to cases commenced on or after the date of adjustment. DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: FOR COURT USE ONLY Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the Date: creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

Penalty for assatu grant bar Fine Diop to \$500 to the right soul of \$24 for \$100 to \$24 for \$100 to \$1

### INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

#### Items to be completed in Proof of Claim form

#### Court, Name of Debtor, and Case Number:

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

### Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

#### 1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

#### 2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

# 3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

#### 3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

# 4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

#### 5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a).

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

#### 6 Cradite

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

#### 7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

#### Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

#### DEFINITIONS

#### Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

#### Creditor

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10)

# Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

#### **Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

#### Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

#### **Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

## Claim Entitled to Priority Under 11 U.S.C. §507(a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

#### Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

#### **Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

#### \_INFORMATION\_

### Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

# Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the fact value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.